

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:15-CR-151-O

MICHAEL COLBY (07)

FACTUAL RESUME

INDICTMENT:

Count One: Conspiracy to Possess with Intent to Distribute a

Controlled Substance (methamphetamine) (in violation of

21 U.S.C. § 846, and 21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

PENALTY: \$5,000,000 fine - not less than 5 years imprisonment and not more than 40 years imprisonment, or both such fine and imprisonment, plus a term of supervised release of not less than 4 years.

MAXIMUM PENALTY:

\$5,000,000 fine and not less than five (5) years nor more than forty (40) years imprisonment, plus a term of supervised release of not less than 4 years. If the defendant violates any condition of supervised release, the Court may revoke such term of supervised release and require the defendant to serve an additional period of confinement. Further the Court must impose a Mandatory Special Assessment of \$100.00.

ELEMENTS OF THE OFFENSE:

The essential elements which must be proved beyond a reasonable doubt in order to establish the offenses charged in Count One of the Indictment are as follows:

First:

That two or more persons, directly or indirectly, reached an agreement to

distribute or possess with intent to distribute a controlled substance, as

charged in the indictment;

Second:

That the defendant knew of the unlawful purpose of the agreement;

Third:

That the defendant joined in the agreement willfully, that is, with the intent

to further its unlawful purpose; and

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Fourth:	That the overall scope of the conspiracy involved at least 50 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.
STIPULATED FACTS: Since approximately Rachel Adams has received multi-ounce and pound quantities of methamphetamine from Michael Colby.	
are pound of Sachel Allan Jerry Curry of Worth, Arlin	and the second learned some transfers grant and to us Rachel Adams. In turn as Gavin Segura, and the Bacoks, and second some second and Bacoks, and as instructed methamphetamine to various customers in the Bentstock, Point, good, and Adams for
with each oth methampheta	Michael Colby, and Rachel Adams conspired are and others to possess with intent to distribute more than 50 grams of amine.

SIGNED this 2200 day of JULY, 2015.

Defendant

MARK DANIELSON
Counsel for Defendant